

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA and
THE STATE OF WISCONSIN,

Plaintiffs,

v.

Case No. 10-C-910

NCR CORPORATION, *et al.*,

Defendants.

**ORDER AUTHORIZING COURT REGISTRY ACCOUNT DISBURSEMENTS
PURSUANT TO CONSENT DECREE WITH
BROWN COUNTY AND THE CITY OF GREEN BAY**

Settling Defendants Brown County and the City of Green Bay have paid \$700,000.00 into a Court Registry Account as prescribed by a Consent Decree that was lodged with the Court (Dkt. 31-1) and a subsequent Order entered by the Court (Dkt. 40). The Court approved and entered that Consent Decree on June 26, 2013 (Dkt. 846). The Plaintiffs have now filed a Motion asking the Court to authorize the disbursement of the Brown County and Green Bay settlement payments (plus accrued interest) to Plaintiffs, as envisioned by that Consent Decree.

NOW, THEREFORE, in light of the Plaintiffs' Motion, and good cause appearing, **IT IS HEREBY ORDERED:**

1. Consistent with Paragraphs 6 and 9 of the Consent Decree, the \$700,000 that Brown County and Green Bay paid into a Court Registry Account (and all accrued interest on those deposits) shall be disbursed to the United States after the entry of this Order, to be applied as follows:

a. \$105,000.00 (plus the corresponding interest on that amount) shall be deposited in the Lower Fox River and Green Bay Superfund Site Special Account within the EPA Hazardous Substance Superfund, to be retained and used to conduct or finance response actions at or in connection with the Lower Fox River and Green Bay Superfund Site; and

b. \$595,000.00 (plus the corresponding interest on that amount) shall be deposited in a Site-specific sub-account within the U.S. Department of the Interior's Natural Resource Damage Assessment and Restoration Fund, to be managed by DOI for the joint benefit and use of Federal, State, and Tribal Trustees for the Site to pay for natural resource restoration projects jointly selected by the Trustees and/or to be applied toward natural resource damage assessment costs incurred by DOI and the State.

2. The United States shall provide the Financial Manager in the Clerk's Office payment instructions to facilitate the Court Registry Account disbursements described above.

3. Pursuant to 28 U.S.C. § 1914(b) and the Judicial Conference Schedule of Fees, no fees shall be charged for services rendered on behalf of the United States in conjunction with this use of a Court Registry Account.

SO ORDERED this 17th day of September, 2013.

s/ William C. Griesbach
William C. Griesbach, Chief Judge
United States District Court